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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LOCAL 338, RWDSU,

Plaintiff,

vs.

FOODTOWN/PSK SUPERMARKETS, INC.,

Defendant.

Civil Action No. 07-cv-2824 (LBS)

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE AND
WITHOUT COSTS**

Pursuant to Fed.R.Civ.P. 41(a)(1), it is hereby stipulated and agreed, by and between the parties to this matter that the instant action, shall be and hereby is dismissed with prejudice, with each party to bear its own costs and attorneys' fees.

For the Plaintiff

By: 

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For the Defendant

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Dated: 12/18, 2007

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IT IS SO ORDERED:

Hon. Leonard B. Sand, U.S.D.J.